

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

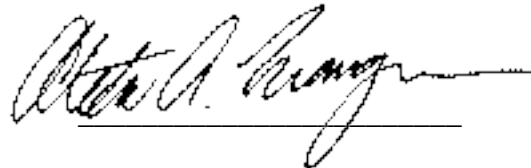
HERMAN JEROME HARDEN,)	
)	
Plaintiff,)	Case No. 3:03-1164
)	Judge Trauger
v.)	
)	
CSX TRANSPORTATION, INC.,)	
)	
Defendant.)	

ORDER

For the reasons stated in the accompanying Memorandum, the Motion for Summary Judgment filed by defendant CSX Transportation, Inc. (Docket No. 31) is **DENIED**.

It is so ordered.

Enter this 14th day of July 2005.



ALETA A. TRAUGER

United States District Judge